

by a system or operating environment or by an unsafe act.

*Out-of-family* means a component or system test result where the component or system's performance does not conform to the family performance data that was established by previous test results and is an indication of a potential problem with the component or system requiring further investigation and possible corrective action.

*Passive component* means a flight termination system component that does not contain active electronic piece parts.

*Performance specification* means a statement prescribing the particulars of how a component or part is expected to perform in relation to the system that contains the component or part. A performance specification includes specific values for the range of operation, input, output, or other parameters that define the component's or part's expected performance.

*Protected area* means an area of land not controlled by a launch operator that:

- (1) Is a populated area;
- (2) Is environmentally sensitive; or
- (3) Contains a vital national asset.

*Safety-critical computer system function* means any computer system function that, if not performed, if performed out of sequence, or if performed incorrectly, may directly or indirectly cause a public safety hazard.

*Service life* means, for a flight termination system component, the sum total of the component's storage life and operating life.

*Storage life* means, for a flight termination system component, the period of time after manufacturing of the component is complete until the component is activated or installed on a launch vehicle, whichever is earlier, during which the component may be subjected to storage environments and must remain capable of satisfying all its performance specifications.

*Sub-vehicle point* means the location on an ellipsoidal Earth model where the normal to the ellipsoid passes through the launch vehicle's center of gravity. The term is the same as the weapon system term "sub-missile point."

*System hazard* means a hazard associated with a system and generally exists even when no operation is occurring.

*Tracking icon* means the representation of a launch vehicle's instantaneous impact point, debris footprint, or other vehicle performance metric that is displayed to a flight safety crew during real-time tracking of the launch vehicle's flight.

*Uprange* means the distance measured along a line that is 180 degrees to the downrange direction. The term uprange may also be used to indicate direction.

*Waiver* means a decision that allows a launch operator to continue with a launch despite not satisfying a specific safety requirement and where the launch operator is not able to demonstrate an equivalent level of safety.

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#### §417.7 Public safety responsibility.

A launch operator is responsible for ensuring the safe conduct of a licensed launch and for ensuring public safety and safety of property at all times during the conduct of a licensed launch.

#### §417.9 Launch site responsibility.

(a) A launch operator must ensure that launch processing at a launch site in the United States satisfies the requirements of this part. Launch processing at a launch site outside the United States may be subject to the requirements of the governing jurisdiction.

(b) For a launch from a launch site licensed under part 420 of this chapter, a launch operator must—

(1) Conduct its operations as required by any agreements that the launch site operator has with any Federal and local authorities under part 420 of this chapter; and

(2) Coordinate with the launch site operator and provide any information on its activities and potential hazards necessary for the launch site operator to determine how to protect any other launch operator, person, or property at the launch site as required by the launch site operator's obligations under §420.55 of this chapter.

(c) For a launch from an exclusive-use site, where there is no licensed

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launch site operator, a launch operator must satisfy the requirements of this part and the public safety requirements of part 420 of this chapter. This subpart does not apply to licensed launches occurring from Federal launch ranges.

#### **§417.11 Continuing accuracy of license application; application for modification of license.**

(a) A launch operator must ensure the representations contained in its application are accurate for the entire term of the license. A launch operator must conduct a licensed launch and carry out launch safety procedures in accordance with its application.

(b) After the FAA issues a launch license, a launch operator must apply to the FAA for modification of a launch license if—

(1) A launch operator proposes to conduct a launch or carry out a launch safety procedure or operation in a manner that is not authorized by the license; or

(2) Any representation contained in the license application that is material to public health and safety or safety of property would no longer be accurate and complete or would not reflect the launch operator's procedures governing the actual conduct of a launch. A representation is material to public health and safety or safety of property if it alters or affects the launch operator's launch plans or procedures, class of payload, orbital destination, type of launch vehicle, flight path, launch site, launch point, or any safety system, policy, procedure, requirement, criteria or standard.

(c) A launch operator must prepare and file an application to modify a launch license under part 413 of this chapter. The launch operator must identify any part of its license or license application that a proposed modification would change or affect.

(d) The FAA reviews all approvals and determinations required by this chapter to determine whether they remain valid in light of a proposed modification. The FAA approves a modification that satisfies the requirements of this part.

(e) Upon approval of a modification, the FAA issues to a launch operator ei-

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ther a written approval or a license order modifying the license if a stated term or condition of the license is changed, added or deleted. A written approval has the full force and effect of a license order and is part of the licensing record.

#### **§417.13 Agreement with Federal launch range.**

Before conducting a licensed launch from a Federal launch range, a launch operator must—

(a) Enter into an agreement with a Federal launch range to provide access to and use of U.S. Government property and services required to support a licensed launch from the facility and for public safety related operations and support. The agreement must be in effect for the conduct of any licensed launch; and

(b) Comply with any requirements of the agreement with the Federal launch range that may affect public safety and safety of property during the conduct of a licensed launch, including flight safety procedures and requirements.

#### **§417.15 Records.**

(a) A launch operator must maintain all records necessary to verify that it conducts licensed launches according to representations contained in the licensee's application. A launch operator must retain records for three years after completion of all launches conducted under the license.

(b) If a launch accident or launch incident occurs, as defined by §405.1 of this chapter, a launch operator must preserve all records related to the event until completion of any Federal investigation and the FAA advises the licensee not to retain the records. The launch operator must make available to Federal officials for inspection and copying all records that these regulations require the launch operator to maintain.

#### **§417.17 Launch reporting requirements and launch specific updates.**

(a) *General.* A launch operator must satisfy the launch reporting requirements and launch specific updates required by this section and by the terms of the launch operator's license. A launch operator must file any change